

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
UBER III et al.)	Art Unit: 3763
)	
Serial No.: 10/821,210)	Confirmation No. 8248
)	
Filed: April 8, 2004)	Examiner: MENDEZ, Manuel A.
)	
Title: FLUID DELIVERY SYSTEMS,)	
DEVICES AND METHODS FOR)	Customer No. 21140
DELIVERY OF HAZARDOUS)	
FLUIDS)	
)	

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Restriction Requirement mailed on October 6, 2008.

I. Restriction Requirement

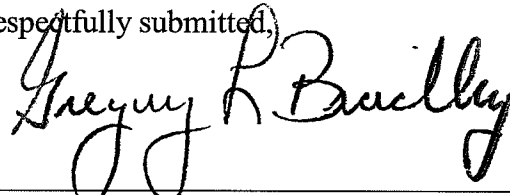
The Requirement for Restriction required restriction under 35 U.S.C. § 121 to one of the following five (5) inventions: Claims 1-30, 33-36, 37, 38-40, 50-71, and 72-79, drawn to a system for injecting a patient, classified in class 604, subclass 131 (Group I); Claims 31-32 and 47, drawn to an assembly for connection or connector, classified in class 604, subclass 905 (Group II); Claims 41-43, drawn to a catheter, classified in class 604, subclass 523 (Group III); Claims 44-46 and 48, drawn to a container, classified in class 604, subclass 142 (Group IV); and Claims 49, drawn to a system for transferring a pharmaceutical, classified in class 604, subclass 30 (Group V). The Restriction

Requirement stated that Groups I through V are related as subcombinations disclosed as usable together in a single combination. The subcombinations do not overlap and are not obvious variants. Additionally, Group III discloses a catheter than can be separately usable to transfer fluids to a patient. The Examiner has required restriction between subcombinations usable together.

In response to the Restriction Requirement, Applicants hereby elect Group I (Claims 1-30, 33-36, 37, 38-40, 50-71, and 72-79) for prosecution on the merits in this application with traverse.

If there are any outstanding issues that can be resolved by telephone, the Examiner is invited to contact the undersigned at (412) 767-2400.

Respectfully submitted,



Gregory L. Bradley
Reg. No. 34,299

Dated: October 13, 2008

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I hereby certify that this correspondence is being electronically filed with the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 13, 2008.



Susan M. Lloyd